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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ALLSTATE INSURANCE  
COMPANY, et al.,

2:08-CV-369 JCM (GWF)

## Plaintiffs,

V.

OBTEEN N. NASSIRI, D.C., et al.,

## Defendants.

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## ORDER

15 Presently before the court is defendants Obteen Nassiri, et. al.'s motion for summary  
16 judgment. (Docs. #405 and #408). Defendants Albert Noorda, et. al. filed a joinder to this motion.  
17 (Doc. #428). Also before the court is defendants Albert Noorda, et. al.'s motion for summary  
18 judgment. (Doc. #435). Defendants Obteen Nassiri, et. al. filed a joinder to this motion. (Doc.  
19 #438).

20 In a summary judgment motion, the moving party bears the burden of informing the court  
21 of the basis for its motion, together with evidence demonstrating the absence of any genuine issue  
22 of material fact. *Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986). “A trial court can only consider  
23 admissible evidence in ruling on a motion for summary judgment.” *Orr v. Bank of America*, 285  
24 F.3d 764, 773 (9th Cir. 2002). “Authentication is a condition precedent to admissibility . . .” *Id.*  
25 (internal citations omitted). Unauthenticated documents “cannot be considered in a motion for  
26 summary judgment.” *Id.*

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1 In the case at bar, the parties have not authenticated the evidence supporting their motions  
2 for summary judgment. (See Docs. #408 and #435). Without properly authenticated supporting  
3 evidence, the court is not inclined to hear the instant motions for summary judgment. *See Orr*, 285  
4 F.3d at 773.

5 || Accordingly,

6 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendants Obteen Nassiri,  
7 et. al.'s motion for summary judgment (doc. #405) and defendants Albert Noorda, et. al.'s motion  
8 for summary judgment (doc. #435) be, and the same hereby are, DENIED.

9 DATED this 29th day of March, 2012.

Xelius C. Mahan  
**UNITED STATES DISTRICT JUDGE**